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Commissioner

Alexander MacLeod, R.A.  
Chairman

Gary Moccia, P.E.  
Vice Chairman

Robert Anderson  
Administrator

Date: February 18, 2010

Name of Appellant: Margo Jones  
(The Bement School)

Service Address: Margo Jones Architects  
308 Main Street, 3<sup>rd</sup> Fl.  
Greenfield, MA. 01301

In reference to: 144 Old Main Street  
Deerfield, MA. 01342

Docket Number: 09-831

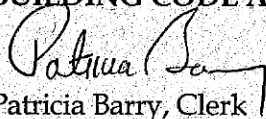
Property Address: 144 Old Main Street  
Deerfield, MA. 01342

Date of Hearing: 12-22-09

Enclosed please find a copy of the decision on the matter aforementioned.

Sincerely:

**BUILDING CODE APPEALS BOARD**

  
Patricia Barry, Clerk

cc: Building Code Appeals Board  
Building Official

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

Building Code Appeals Board  
Docket No. 09-831

Belment School		)
	Appellant	)
v.		)
Town of Deerfield,		)
	Appellee	)

**BOARD'S RULING ON APPEAL<sup>1</sup>**

**Procedural History**

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to M.G.L. c.143, §100 and 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant a variance from 7<sup>th</sup> edition 780 CMR 907.2.10.1.2 and 907.2.10.3 for the property at 144 Old main Street, Deerfield, MA ("Property"). In accordance with M.G.L. c. 30A, §§10 & 11; M.G.L. c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on December 22, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

**Discussion**

The property at issue is a new dormitory being constructed that will house students at the Belment School in Deerfield. The issue is whether a variance is appropriate for the proposed fire alarm and communication system which is in violation of the Building Code ("Code"). Section 907.2.10.1.2 of 780 CMR requires:

Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2 ...regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall

<sup>1</sup>This is a concise version of the Board's decision. A full written decision may be requested within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Section 907.2.10.3 of 780 CMR states:

Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2...the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit.

The Appellant's proposed system will have system detectors in the dorm rooms and apartments that will be interconnected so activation of any one alarm will activate all alarms in the entire building. Ordinarily, system detectors interconnected throughout the entire building is a violation of 780 CMR 907.2.10.1.2 and 907.2.10.3. The alarms required by the Code are intended to alert individuals in the particular room or apartment where the alarm is activated; rather than the entire building. However, the Belmont School requires all individuals to evacuate a building when an alarm in that building sounds, not only those in the room or unit where the alarm was activated. The Board found that in this instance the proposed system provides a higher level of protection than system required by the Code. Furthermore, the Deerfield Building Commissioner, Richard Calisewski, Deerfield Fire Chief, Chet Yazwinski, the architect, Margo Jones, and the school's business manager, George Cuddeback all support the proposed system.

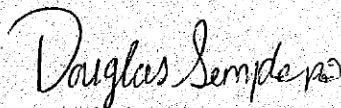
### Conclusion

A motion was made by William Middlemiss and seconded by Alexander MacLeod to grant the Appellant's variance from the 7<sup>th</sup> edition 780 CMR 907.2.101.2 and 907.2.10.3, and allow the use of the proposed fire alarm and communication system. A Board vote was taken and the motion passed unanimously.

The Appellant's request for a variance from the 7<sup>th</sup> Edition 780 CMR 907.2.101.2 and 907.2.10.3 is hereby **GRANTED** as described in the discussion above and so ordered.



William Middlemiss



Douglas Semple  
Chair



Alexander MacLeod

DATED: February 18, 2010

*In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days of receipt of notice of this decision.*